

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

REGINALD A. ROBERTS Plaintiff, v. RISA VETRI FERMAN, et al. Defendants.	: : : : : : : :	CIVIL ACTION NO. 09-4895
--	--------------------------------------	---

ORDER

AND NOW, this 16th day of September, 2011, having considered Defendants' Motion to Bifurcate or in the Alternative Disqualify Plaintiff's Counsel (Doc. 137), Plaintiff's Opposition to the Defendants' Motion to Bifurcate the Trial or in the Alternative for Disqualification of Plaintiff's Counsel with a Cross Motion for Sanctions Against Attorney Gonzales and Christopher Boyle and to Disqualify Attorney Gonzales (Doc. 141), and Defendants' Omnibus Response/Reply to Plaintiff's Response in Opposition to Defendants' Motion to Re-Open Discovery (#140), Response in Opposition to Motion for Sanctions (#141) and 'Reply to Response in Opposition re: 131 Motion for Reconsideration' (#143) (Doc. 145),¹ and for the reasons stated in the Memorandum accompanying this Order, it is hereby **ORDERED** that:

1. Defendants' Motion to Bifurcate is **DENIED**.
2. Defendants' Motion to Disqualify Plaintiff's Counsel is **GRANTED**. Plaintiff's Counsel, Brian Puricelli, Esq., is disqualified from acting as an advocate on behalf of Plaintiff at trial.

¹ In this Order and accompanying Memorandum, the Court considers Defendants Omnibus Response/Reply to the extent that it relates to the issues of bifurcation and disqualification of Plaintiff's counsel.

3. Plaintiff's Cross-Motion for Sanctions Against Attorney Gonzales and Christopher Boyle and to Disqualify Attorney Gonzales is **DENIED**. If Plaintiff intends to move for the recusal of Judge Restrepo (see Pl.'s Resp. 9), Plaintiff must do so within 20 days of this Order, in a manner consistent with Federal Rule of Civil Procedure 7 and Local Rule of Civil Procedure 7.1.

4. Counsel are instructed to contact the Court within one week of the Third Circuit ruling on the pending appeal in this matter, (see Doc. 92), to discuss scheduling of the trial and the status of counsel.

BY THE COURT:

/s/ L. Felipe Restrepo
L. FELIPE RESTREPO
UNITED STATES MAGISTRATE JUDGE